

505 KAR 1:050. Local juvenile delinquency prevention councils: formation procedure.

RELATES TO: KRS 15A.300

STATUTORY AUTHORITY: KRS 15A.300(7)(a)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 15A.300 requires the Department of Juvenile Justice to promulgate administrative regulations that relate to the formation, operation and duties of local juvenile delinquency prevention councils, as well as the administration and operation of the grant programs operated in conjunction with the local juvenile delinquency prevention councils. This administrative regulation sets forth the procedure for forming councils.

Section 1. Council Membership. (1) A council encompassing a city of the first class or an urban county government shall include, in addition to those persons designated in KRS 15A.300(2):

- (a) The county judge executive or his representative; or
- (b) The mayor or his representative.

(2) Councils may include members representing groups or individuals interested in juvenile delinquency and prevention not specified in KRS 15A.300(2) or subsection (1) of this section, including:

- (a) Juvenile justice agencies;
- (b) Religious organizations;
- (c) Fraternal organizations;
- (d) Nonprofit organizations;
- (e) Social service organizations involved in juvenile crime prevention;
- (f) The business community;
- (g) Youth organizations;
- (h) Local government;
- (i) Mental health agencies; and
- (j) Interested citizens.

(3) If the group seeking to establish or certify a council represents more than one (1) county, proposed council membership shall reflect representation from all participating counties. Representation from each participating county in each mandatory area shall not be required.

(4)(a) Council membership shall not exceed eighteen (18) members unless:

1. The group seeking designation as a council is an existing group with existing membership that exceeds eighteen (18); or

2. The group demonstrates that additional members are needed to provide adequate representation of interested and involved individuals and entities.

(b) A group seeking to expand council membership beyond eighteen (18) shall submit a letter to the commissioner explaining why the membership should be expanded.

(c) The commissioner shall:

1. Grant a waiver if the group demonstrates that additional members are needed to provide adequate representation of interested and involved individuals and entities; and

2. Submit a written decision to the applicant group within thirty (30) days of initial application.

(5)(a) The Juvenile Justice Advisory Board may appoint one (1) or more of their members to serve as ex officio members of a local council.

(b) An ex officio member shall not be included in determining the size of the council under subsection (4) of this section.

Section 2. Council Formation, Approval and Continuation. (1) Recommended names and addresses of individuals and entities who have agreed to serve on the council shall be submitted to the regional director.

(2) The regional director shall verify that the proposed council meets the representation requirements established by KRS 15A.300(2) and this administrative regulation, and shall submit the verified list of proposed council members to the commissioner for final approval.

(3) The commissioner shall certify approval of each council and its representatives. Individual council members approved by the commissioner shall receive a commission designating the term of appointment.

(4) For a newly formed council, initial appointments shall provide for staggered terms of two (2), three (3), or four (4) years. Members appointed thereafter shall serve for a term to be recommended by the council and approved by the commissioner, in accordance with KRS 15A.300(2). Appointments for elected officials shall expire if the term of office for which the official was elected expires during the term of his appointment to the council. For a newly formed council, the initial chairperson shall be appointed by the commissioner for a term of two (2) years.

(5) The recommendations for appointment of new or existing individual council members after the initial certification of the council shall be made by the membership of the council. The recommendations shall include length of term. The recommendations shall be forwarded to the commissioner for approval.

(6) The chair shall be elected by the council membership after the initial certification of the council. The chair shall serve a term of two (2) years. (25 Ky.R. 1486; 1874; eff. 2-18-1999; 30 Ky.R. 424; 864; eff. 10-31-2003; Crt eff. 3-13-2019.)